

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
-----X	:	

**NOTICE OF PROPOSED ORDER  
APPROVING STIPULATION MODIFYING CERTAIN DEADLINES  
ESTABLISHED IN THE FOURTH AMENDED ORDER ESTABLISHING  
PROCEDURES, DEADLINES AND HEARING DATES RELATING  
TO THE DEBTOR'S PLAN OF ADJUSTMENT [Docket No. 4202]**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. The City of Detroit (the "City") has filed a proposed Order approving the Stipulation Modifying Certain Deadlines Established in the Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment, by and between the (i) City; (ii) Official Committee of Retirees appointed in the above-captioned chapter 9 case; (iii) General Retirement System for the City of Detroit; (iv) Police and Fire Retirement System for the City of Detroit; (v) Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees; (vi) Retired Detroit Police and Fire

Fighters Association; (vii) Detroit Retired City Employees Association;  
(viii) Detroit Police Lieutenants and Sergeants Association; and (ix) Detroit Police  
Command Officers Association, attached hereto as Exhibit 1.

Dated: May 9, 2014

Respectfully submitted,

/s/ Heather Lennox

David G. Heiman (OH 0038271)

Heather Lennox (OH 0059649)

Thomas A. Wilson (OH 0077047)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, Ohio 44114

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

dgheiman@jonesday.com

hlennox@jonesday.com

tawilson@jonesday.com

Bruce Bennett (CA 105430)

JONES DAY

555 South Flower Street

Fiftieth Floor

Los Angeles, California 90071

Telephone: (213) 243-2382

Facsimile: (213) 243-2539

bbennett@jonesday.com

Jonathan S. Green (MI P33140)

Stephen S. LaPlante (MI P48063)

MILLER, CANFIELD, PADDOCK AND  
STONE, P.L.C.

150 West Jefferson

Suite 2500

Detroit, Michigan 48226

Telephone: (313) 963-6420

Facsimile: (313) 496-7500

green@millercanfield.com

laplante@millercanfield.com

ATTORNEYS FOR THE CITY

## **EXHIBIT 1**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

-----X	:	
In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
-----X		

**ORDER APPROVING THE STIPULATION  
MODIFYING CERTAIN DEADLINES ESTABLISHED  
IN THE FOURTH AMENDED ORDER ESTABLISHING  
PROCEDURES, DEADLINES AND HEARING DATES RELATING  
TO THE DEBTOR'S PLAN OF ADJUSTMENT [Docket No. 4202]**

The Stipulation Modifying Certain Deadlines Established in the Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment (the "Stipulation"), attached hereto as Exhibit A, having been entered into by the (i) City of Detroit; (ii) Official Committee of Retirees appointed in the above-captioned chapter 9 case; (iii) General Retirement System for the City of Detroit; (iv) Police and Fire Retirement System for the City of Detroit; (v) Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees; (vi) Retired Detroit Police and Fire Fighters Association; (vii) Detroit Retired City Employees Association;

(viii) Detroit Police Lieutenants and Sergeants Association; and (ix) Detroit Police Command Officers Association; the Court having reviewed the Stipulation; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Stipulation is APPROVED.

**EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

-----X	:	
In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
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**STIPULATION MODIFYING CERTAIN DEADLINES  
ESTABLISHED IN THE FOURTH AMENDED ORDER ESTABLISHING  
PROCEDURES, DEADLINES AND HEARING DATES RELATING  
TO THE DEBTOR'S PLAN OF ADJUSTMENT [Docket No. 4202]**

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This Stipulation (this "Stipulation") is made by and among the (i) City of Detroit (the "City"); (ii) Official Committee of Retirees appointed in the above-captioned chapter 9 case (the "Retiree Committee"); (iii) General Retirement System for the City of Detroit ("GRS"); (iv) Police and Fire Retirement System for the City of Detroit ("PFRS"); (v) Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees ("AFSCME"); (vi) Retired Detroit Police and Fire Fighters Association ("RDPFFA"); (vii) Detroit Retired City Employees Association ("DRCEA"); (viii) Detroit Police Lieutenants and Sergeants Association ("DPLSA"); and (ix) Detroit Police Command Officers Association ("DPCOA" and, collectively with the City, the Retiree Committee, GRS, PFRS,



AFSCME, RDPFFA, DRCEA and DPSLA, the "Parties"). The Parties other than the City shall be referred to collectively as the "Non-City Parties." By and through each of their undersigned counsel, the Parties have reached agreement with respect to, and request the entry of an order approving, the following:

### **RECITALS**

A. As of the date of this Stipulation, the City has reached agreements or agreements in principle with each of the Non-City Parties regarding the treatment of "Pension Claims" and/or "OPEB Claims" (as such terms are defined in the Fourth Amended Plan for the Adjustment of Debts of the City of Detroit (May 5, 2014) (Docket No. 4392) (the "Plan")<sup>1</sup> as described in the Plan and/or the Disclosure Statement, provided that (1) both Classes 10 and 11 vote to accept the Plan (and, with respect to certain of the Non-City Parties, Class 12); and (2) the funding contemplated by the State Contribution Agreement and the DIA Settlement is actually committed, subject to the fulfillment of the conditions that accompany such funding (the "Funding Commitments"). Nothing herein is intended to alter, amend or expand those agreements or agreements in principle.

B. In light of these agreements and agreements in principle, the Parties have further agreed to the modification of certain deadlines established by

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<sup>1</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Plan.

this Court's Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment (Docket No. 4202) (the "Fourth Amended Scheduling Order") as set forth herein.

C. The Non-City Parties are appellants in appeals (collectively, the "Sixth Circuit Appeals") of this Court's Opinion Regarding Eligibility (Docket No. 1945) and Order for Relief Under Chapter 9 of the Bankruptcy Code (Docket No. 1946) pending before the United States Court of Appeals for the Sixth Circuit (the "Sixth Circuit").

### **STIPULATION**

**NOW, THEREFORE**, it is hereby stipulated and agreed by and among the Parties, through their undersigned counsel:

1. Plan Objections. If the Funding Commitments are not made by June 20, 2014, the Non-City Parties shall file and serve their (a) initial objections to confirmation of the Plan and (b) list of fact witnesses and the subject that each witness will address by June 22, 2014.

2. If the Funding Commitments are made by June 20, 2014, the Non-City Parties shall submit (a) conditional objections to the Plan and (b) their list of fact witnesses and the subject that each witness will address to counsel for the City on or before June 22, 2014 (each, a "Conditional Objection"), but shall not

file such Conditional Objections on the docket of the Chapter 9 Case, except as provided in paragraph 3 of this Stipulation.

3. In the event that on or prior to July 16, 2014 (a) it is determined by the Parties that any of Classes 10, 11 or 12 has voted to reject the Plan or (b) the Plan is materially modified to the detriment of the treatment of Holders of Claims in Class 10, 11 or 12, any of the Non-City Parties may file and serve their Conditional Objections to the Plan no later than July 17, 2014. Such Conditional Objections also may be supplemented to include objections arising from (x) the results of discovery, (y) the results of Plan voting and (z) events that occur on or after June 20, 2014.

4. The provisions of paragraphs 1-3 of this Stipulation shall apply to the Parties in lieu of the deadlines established by paragraphs 7(b)-(c) and 18 of the Fourth Amended Scheduling Order.

5. Expert Reports. If the Funding Commitments are made by June 20, 2014, the deadline for the Parties to serve copies of their experts' reports (which reports shall not be filed) shall be July 17, 2014. July 21, 2014 shall be the deadline for the Parties to (a) serve copies of their rebuttal expert reports (which reports shall not be filed) and (b) complete all expert depositions. If the Funding Commitments are made by June 20, 2014, the provisions of this paragraph 5 shall apply to the Parties in lieu of the deadlines established by paragraphs 11, 13 and 17

of the Fourth Amended Scheduling Order. If the Funding Commitments are not made by June 20, 2014, the deadlines established by paragraphs 11, 13 and 17 of the Fourth Amended Scheduling Order shall remain unmodified.

6. Discovery. The Non-City Parties may observe, but not participate in, any depositions of City witnesses; provided that each of the Non-City Parties, as appropriate, may actively defend against any challenges by an objecting party at such depositions regarding Pension Claims and OPEB Claims and the Plan's treatment of the Classes 10, 11 or 12.

7. If any Non-City Party files an objection to the Plan pursuant to paragraph 1 of this Stipulation, then, from and after June 23, 2014, such Party may recall City witnesses that have already been deposed for additional depositions, which recalled depositions shall be limited to two hours per witness.

8. From and after June 23, 2014 through July 17, 2014, the City shall be permitted to depose the witnesses of any Non-City Party who files or submits an objection pursuant to paragraphs 1-3 of this Stipulation, as applicable.

9. The provisions of paragraphs 6-8 of this Stipulation shall apply to the Parties in lieu of the deadlines established by paragraphs 5 and 12 of the Fourth Amended Scheduling Order.

10. If Class 10, 11 or 12 votes to reject the Plan, any of the Parties may raise further timing issues with the Court at the scheduled July 23, 2014 final pretrial conference.

11. Sixth Circuit Appeals. The Parties agree that briefing in their respective Sixth Circuit Appeals shall continue pursuant to the schedule established by the Sixth Circuit. The Parties may seek a stay of oral argument in the Sixth Circuit Appeals upon verifying that Classes 10 and 11 have voted to accept the Plan.

12. Modification of Stipulation. The terms of this Stipulation may be amended, modified or supplemented only as agreed in writing by the Parties and by further order of this Court.

13. No Other Modifications. Except as modified herein with respect to the Parties, the provisions of the Fourth Amended Scheduling Order remain in full force and effect; provided, however, that any other concerns or objections that any Non-City Party has or may have regarding the Fourth Amended Scheduling Order are preserved and not waived and may be brought before the Court separately from this Stipulation.

Dated: May 9, 2014

/s/ Sam J. Alberts

Sam J. Alberts  
DENTONS US LLP  
1301 K Street, NW  
Suite 600, East Tower  
Washington, DC 20005-3364  
Telephone: (202) 408-6400  
sam.alberts@dentons.com

Carole Neville  
Claude D. Montgomery  
DENTONS US LLP  
1221 Avenue of the Americas  
New York, New York 10020  
Telephone: (212) 768-6700  
carole.neville@dentons.com  
claudemontgomery@dentons.com

Matthew E. Wilkins (P56697)  
Paula A. Hall (P61101)  
BROOKS WILKINS SHARKEY &  
TURCO PLLC  
401 South Old Woodward Avenue  
Suite 400  
Birmingham, Michigan 48009  
Telephone: (248) 971-1800  
wilkins@bwst-law.com  
hall@bwst-law.com

*Attorneys for the Retiree Committee*

/s/ Heather Lennox

David G. Heiman (OH 0038271)  
Heather Lennox (OH 0059649)  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212  
dgheiman@jonesday.com  
hlennox@jonesday.com

Bruce Bennett (CA 105430)  
JONES DAY  
555 South Flower Street  
Fiftieth Floor  
Los Angeles, California 90071  
Telephone: (213) 243-2382  
Facsimile: (213) 243-2539  
bbennett@jonesday.com

Jonathan S. Green (MI P33140)  
Stephen S. LaPlante (MI P48063)  
MILLER, CANFIELD, PADDOCK  
AND STONE, P.L.C.  
150 West Jefferson  
Suite 2500  
Detroit, Michigan 48226  
Telephone: (313) 963-6420  
Facsimile: (313) 496-7500  
green@millercanfield.com  
laplante@millercanfield.com

*Attorneys for the City of Detroit*

/s/ Robert D. Gordon

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Robert D. Gordon (P48627)

Shannon L. Deeby (P60242)

Jennifer K. Green (P69019)

CLARK HILL PLC

151 South Old Woodward Avenue

Suite 200

Birmingham, Michigan 48009

Telephone: (248) 988-5882

Facsimile: (248) 988-2502

rgordon@clarkhill.com

*Attorneys for the Police and Fire  
Retirement System of the City of  
Detroit and the General Retirement  
System of the City of Detroit*

/s/ Sharon L. Levine

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Sharon L. Levine  
Philip J. Gross  
LOWENSTEIN SANDLER LLP  
65 Livingston Avenue  
Roseland, New Jersey 07068  
Telephone: (973) 597-2500  
Facsimile: (973) 597-6247  
slevine@lowenstein.com  
pgross@lowenstein.com

-and-

Herbert A. Sanders  
THE SANDERS LAW FIRM PC  
615 Griswold Street, Suite 913  
Detroit, Michigan 48226  
Telephone: (313) 962-0099  
Facsimile: (313) 962-0044  
hsanders@miafscme.org

-and-

Richard G. Mack, Jr.  
MILLER COHEN PLC  
600 West Lafayette Boulevard  
Fourth Floor  
Detroit, Michigan 48226-3191  
Telephone: (313) 566-4787  
Facsimile: (313) 964-4490  
richardmack@millercohen.com

*Attorneys for Michigan Council 25 of  
the American Federation of State,  
County and Municipal Employees,  
AFL-CIO and Sub-Chapter 98, City of  
Detroit Retirees*

/s/ Ryan C. Plecha

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Brian D. O'Keefe (P39603)  
Ryan C. Plecha (P71957)  
LIPPITT O'KEEFE GORNBEIN,  
PLLC  
370 East Maple Road  
Third Floor  
Birmingham, Michigan 48009  
Telephone: (248) 646-8292  
Facsimile: (248) 646-8375  
bokeefe@lippittokeefe.com  
rplecha@lippittokeefe.com

-and-

Thomas R. Morris (P39141)  
Karin F. Avery (P45364)  
SILVERMAN & MORRIS, P.L.L.C.  
30500 Northwestern Highway  
Suite 200  
Farmington Hills, Michigan 48334  
Telephone: (248) 539-1330  
Facsimile: (248) 539-1355  
morris@silvermanmorris.com  
avery@silvermanmorris.com

*Attorneys for the Retired Detroit Police  
& Fire Fighters Association and the  
Detroit Retired City Employees  
Association*



/s/ Julie B. Teicher

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Julie B. Teicher (P34300)

Barbara A. Patek (P34666)

Earle I. Erman (P24296)

ERMAN, TEICHER, ZUCKER &  
FREEDMAN, P.C.

400 Galleria Officentre, Suite 444

Southfield, Michigan 48034

Telephone: (248) 827-4100

Facsimile: (248) 827-4106

jteicher@ermanteicher.com

bpatek@ermanteicher.com

*Attorneys for the Detroit Police  
Lieutenants & Sergeants Association  
and the Detroit Police Command  
Officers Association*